THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.No.5450 of 2007

Dated: 16-03-2007

Between:-

Sri Ravichandra Pratap

..Petitioner

And

The Commissioner of Police,
Hyderabad City,
Basheerbagh, Hyderabad and three others.

..Respondents.

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:O R A L O R D E R:

The petitioner seeks to issue a writ of Mandamus directing the respondents not to interfere with his civil rights and liberty of the petitioner at the instigation of the third and fourth respondents.

If any complaint has been filed by the third and fourth respondents alleging that the petitioner had committed a cognisable offence, it is always open to the concerned Station House Officer to register a crime and proceed against the petitioner in accordance with law. If there is no complaint and if there are no allegations of committing a cognisable offence, the police cannot interfere with civil rights or liberty of the petitioner. I am of the opinion that no writ of Mandamus can be granted to the petitioner in the absence of any representation or request made before the superior officers about the alleged illegal action of the second respondent,.

Accordingly, the writ petition is dismissed granting liberty to the petitioner to make a representation to the Commissioner of Police, Hyderabad, as and when required, if so advised. On such representation made, the Commissioner of Police, Hyderabad may take action in accordance with law. No costs.

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V. ESWARAIAH, J

Dated: 16-03-2007.
Pvks/*